

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

| | | |
|--------------------------|---|-----------|
| ROGER KEITH LUNSFORD, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 1:21CV523 |
| |) | |
| UNITED STATES DEPARTMENT |) | |
| OF JUSTICE, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

On September 1, 2022, the United States Magistrate Judge's Recommendation was filed with the Court and notice was served on the parties pursuant to 28 U.S.C. § 636. [Docs. #26, 27.] Plaintiff filed objections [Doc. #29] and Defendants filed a response to the objections [Doc. #30].

The Court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The Court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Entry of Default [Doc. #7] is DENIED.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss [Doc. #9] is GRANTED as to Plaintiff's claim for attorney's fees and DENIED as to Plaintiff's FOIA claim.

IT IS FURTHER ORDERED that Plaintiff's Motion for Order Compelling Production and for Sanctions Under 5 U.S.C. 552(a)(3) [Doc. #15] is DENIED.

IT IS FURTHER ORDERED that Defendants' Motion for Summary Judgment [Doc. #20] is GRANTED.

This the 15th day of December, 2022.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge